



Order Filed on February 21, 2024
by Clerk
U.S. Bankruptcy Court
District of New Jersey

BRUCE C. TRUESDALE, P.C.
By: BRUCE C. TRUESDALE, ESQ.
ID # BT 0928
11 Greenbrook Road
Middlesex, New Jersey 08846
(732) 302-9600
Attorney for Debtor

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

ROSANA PENA

Debtor.

Case No. 22-15309 (ABA)

Chapter 13

HEARING DATE: February 20th @ 10:00 a.m.

**ORDER APPROVING SECURED POST-PETITION FINANCING IN THE FORM OF
A SUBORDINATE NOTE AND MORTGAGE**

The relief set forth on the following pages, numbered two (2) is **ORDERED**

DATED: February 21, 2024



Honorable Andrew B. Altenburg, Jr.
United States Bankruptcy Court

Page 2

Case No.: 22-15309

ORDER APPROVING SECURED POST-PETITION FINANCING IN THE FORM OF A
SUBORDINATE NOTE AND MORTGAGE

The Court having reviewed the debtor's motion to approve Secured Post-Petition Financing in the Form of a Subordinate Note and Mortgage on debtor's property located at 719 Rancocas Avenue Riverside, NJ and the Court having considered the debtor's motion and any opposition thereto, and good and sufficient cause appearing therefrom for the entry of this order, it is hereby:

X The debtor is authorized to enter into the agreement for a Subordinate Note and Mortgage on debtor's real property located at 719 Rancocas Avenue Riverside, New Jersey, a copy of which has been docketed.

1) The Subordinate Note and Mortgage must be fully executed no later than 14 days from the date of this order. If it is not, the secured creditor, within 14 days thereafter, must file with the Court and serve on the debtor, debtor's attorney, if any, and the standing trustee a Certification indicating why the subordinate note and mortgage were not fully executed. A response by the debtor, if any, must be filed and served within 7 days of the filed date of the secured creditor's Certification; and

2) Upon the filing of the Certification required above, and absent a response from the debtor, the standing trustee may disburse to the secured creditor all funds held or reserved relating to it's claim. Absent the filing of a Certification within the time frame set forth above, the standing trustee will disburse funds on hand to other creditors pursuant to the provisions of the confirmed Plan; and

3) Unless the debtor's Plan has been confirmed with 100% paid to unsecured creditors, the debtor must file a *Modified Chapter 13 Plan and Motions* within 14 days of consummation of the execution of the subordinate note and mortgage. If the subordinate note and mortgage results

Page 3

Case No.: 22-15309

ORDER APPROVING SECURED POST-PETITION FINANCING IN THE FORM OF A
SUBORDINATE NOTE AND MORTGAGE

in material changes in the debtor's expenses, the debtor must also file amended Schedules I and J within 14 days of the date of this Order; and

4) There is no order requiring the debtor to cure post-petition arrears through the Plan.

5) If fees and costs related to loss mitigation are sought by the debtor's attorney, an Application for Compensation in compliance with D.N.J. LBR 20'6-1 must be filed;

___ The Motion for Authorization for Secured Post-Petition Financing in the Form of a Subordinate Note and Mortgage is Denied.